United Nations S/2006/699

Security Council

Distr.: General
30 August 2006

Original: English

Argentina, Denmark, France, Ghana, Greece, Slovakia, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and United States of America: draft resolution

The Security Council,

Recalling its previous resolutions concerning the situation in the Sudan, in particular resolutions 1679 (2006) of 16 May 2006, 1665 (2006) of 29 March 2006, 1663 (2006) of 24 March 2006, 1593 (2005) of 31 March 2005, 1591 (2005) of 29 March 2005, 1590 (2005) of 24 March 2005, 1574 (2004) of 19 November 2004, 1564 (2004) of 18 September 2004 and 1556 (2004) of 30 July 2004 and the statements of its President concerning the Sudan,

Recalling also its previous resolutions 1325 (2000) on women, peace and security, 1502 (2003) on the protection of humanitarian and United Nations personnel, 1612 (2005) on children and armed conflict, and 1674 (2006) on the protection of civilians in armed conflict, which reaffirms inter alia the provisions of paragraphs 138 and 139 of the 2005 United Nations World Summit outcome document, as well as the report of its Mission to the Sudan and Chad from 4 to 10 June 2006,

Reaffirming its strong commitment to the sovereignty, unity, independence, and territorial integrity of the Sudan, which would be unaffected by transition to a United Nations operation in Darfur, and to the cause of peace, *expressing its determination* to work with the Government of National Unity, in full respect of its sovereignty, to assist in tackling the various problems confronting the Sudan and that a United Nations operation in Darfur shall have, to the extent possible, a strong African participation and character,

Welcoming the efforts of the African Union to find a solution to the crisis in Darfur, including through the success of the African Union-led Inter-Sudanese Peace Talks on the Conflict in Darfur in Abuja, Nigeria, in particular the framework agreed between the parties for a resolution of the conflict in Darfur (the Darfur Peace Agreement), *commending* the efforts of the signatories to the Darfur Peace Agreement, *expressing* its belief that the Agreement provides a basis for sustained security in Darfur, *reiterating* its welcome of the statement of 9 May 2006 by the representative of the Sudan at the United Nations Security Council Special Session on Darfur of the Government of National Unity's full commitment to implementing the Agreement, *stressing* the importance of launching, with the African Union, the Darfur-Darfur dialogue and consultation as soon as possible, and *recognizing* that

06-48470 (E) 310806

international support for implementation of the Agreement is critically important to its success,

Commending the efforts of the African Union for the successful deployment of the African Union Mission in the Sudan (AMIS), as well as the efforts of Member States and regional and international organizations that have assisted it in its deployment, and AMIS' role in reducing large-scale organized violence in Darfur, *recalling* the decision of the African Union Peace and Security Council of 10 March 2006, and its decision of 27 June 2006 as outlined in paragraph 10 of its Communiqué that the African Union is ready to review the mandate of AMIS in the event that the ongoing consultations between the Government of National Unity and the United Nations conclude on an agreement for a transition to a United Nations peacekeeping operation, *stressing* the need for AMIS to assist implementation of the Darfur Peace Agreement until transition to the United Nations force in Darfur is completed, *welcoming* the decision of the African Union Peace and Security Council of 27 June 2006 on strengthening AMIS' mandate and tasks, including on the protection of civilians, and *considering* that AMIS needs urgent reinforcing,

Reaffirming its concern that the ongoing violence in Darfur might further negatively affect the rest of the Sudan as well as the region, in particular Chad and the Central African Republic, and *stressing* that regional security aspects must be addressed to achieve long lasting peace in Darfur,

Remaining deeply concerned over the recent deterioration of relations between the Sudan and Chad, calling on the Governments of the two countries to abide by their obligations under the Tripoli Agreement of 8 February 2006 and the agreement between the Sudan and Chad signed in N'djamena on 26 July 2006 and to begin implementing the confidence-building measures which they have voluntarily agreed upon, welcoming the recent re-establishment of diplomatic relations between the Sudan and Chad, and calling upon all States in the region to cooperate in ensuring regional stability,

Reiterating its strong condemnation of all violations of human rights and international humanitarian law in Darfur, and *calling upon* the Government of National Unity to take urgent action to tackle gender-based violence in Darfur including action towards implementing its Action Plan to Combat Violence Against Women in Darfur with particular focus on the rescission of Form 8 and access to legal redress,

Expressing its deep concern for the security of humanitarian aid workers and their access to populations in need, including refugees, internally displaced persons and other war-affected populations, and *calling upon* all parties, in particular the Government of National Unity, to ensure, in accordance with relevant provisions of international law, the full, safe and unhindered access of relief personnel to all those in need in Darfur as well as the delivery of humanitarian assistance, in particular to internally displaced persons and refugees,

Taking note of the communiqués of 12 January, 10 March, 15 May and 27 June 2006 of the Peace and Security Council of the African Union regarding transition of AMIS to a United Nations operation,

Taking note of the report of the Secretary-General on Darfur dated 28 July 2006 (S/2006/591),

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides*, without prejudice to its existing mandate and operations as provided for in resolution 1590 (2005) and in order to support the early and effective implementation of the Darfur Peace Agreement, that UNMIS' mandate shall be expanded as specified in paragraphs 8, 9 and 12 below, that it shall deploy to Darfur, and therefore invites the consent of the Government of National Unity for this deployment, and *urges* Member States to provide the capability for an expeditious deployment;

2. *Requests* the Secretary-General to arrange the rapid deployment of additional capabilities for UNMIS, in order that it may deploy in Darfur, in accordance with the recommendation contained in his report dated 28 July 2006;

3. *Decides* that UNMIS shall be strengthened by up to 17,300 military personnel and by an appropriate civilian component including up to 3,300 civilian police personnel and up to 16 Formed Police Units, and *expresses its determination* to keep UNMIS' strength and structure under regular review, taking into account the evolution of the situation on the ground and without prejudice to its current operations and mandate as provided for in resolution 1590 (2005);

4. *Expresses* its intention to consider authorizing possible additional temporary reinforcements of the military component of UNMIS, at the request of the Secretary-General, within the limits of the troop levels recommended in paragraph 87 of his report dated 28 July 2006;

5. *Requests* the Secretary-General to consult jointly with the African Union, in close and continuing consultation with the parties to the Darfur Peace Agreement, including the Government of National Unity, on a plan and timetable for transition from AMIS to a United Nations operation in Darfur, *decides* that those elements outlined in paragraphs 40 to 58 of the Secretary-General's report of 28 July 2006 shall begin to be deployed no later than 1 October 2006, that thereafter as part of the process of transition to a United Nations operation additional capabilities shall be deployed as soon as feasible and that UNMIS shall take over from AMIS responsibility for supporting the implementation of the Darfur Peace Agreement upon the expiration of AMIS' mandate but in any event no later than 31 December 2006;

6. *Notes* that the Status of Forces Agreement for UNMIS with the Sudan, as outlined in resolution 1590 (2005), shall apply to UNMIS' operations throughout the Sudan, including in Darfur;

7. *Requests* the Secretary-General to take the necessary steps to strengthen AMIS through the use of existing and additional United Nations resources with a view to transition to a United Nations operation in Darfur; and *authorizes* the Secretary-General during this transition to implement the longer-term support to AMIS outlined in the report of the Secretary-General of 28 July 2006, including provision of air assets, ground mobility package, training, engineering and logistics, mobile communications capacity and broad public information assistance;

8. *Decides* that the mandate of UNMIS in Darfur shall be to support implementation of the Darfur Peace Agreement of 5 May 2006 and the N'djamena

Agreement on Humanitarian Cease-fire on the Conflict in Darfur ("the Agreements"), including by performing the following tasks:

(a) To monitor and verify the implementation by the parties of Chapter 3 ("Comprehensive Cease-fire and Final Security Arrangements") of the Darfur Peace Agreement and the N'djamena Agreement on Humanitarian Cease-fire on the Conflict in Darfur;

(b) To observe and monitor movement of armed groups and redeployment of forces in areas of UNMIS deployment by ground and aerial means in accordance with the Agreements;

(c) To investigate violations of the Agreements and to report violations to the Cease-fire Commission, as well as to cooperate and coordinate, together with other international actors, with the Cease-fire Commission, the Joint Commission, and the Joint Humanitarian Facilitation and Monitoring Unit established pursuant to the Agreements including through provision of technical assistance and logistical support;

(d) To maintain, in particular, a presence in key areas, such as buffer zones established pursuant to the Darfur Peace Agreement, areas inside internally displaced persons camps and demilitarized zones around and inside internally displaced persons camps, in order to promote the re-establishment of confidence, to discourage violence, in particular by deterring use of force;

(e) To monitor transborder activities of armed groups along the Sudanese borders with Chad and the Central African Republic in particular through regular ground and aerial reconnaissance activities;

(f) To assist with development and implementation of a comprehensive and sustainable programme for disarmament, demobilization and reintegration of former combatants and women and children associated with combatants, as called for in the Darfur Peace Agreement and in accordance with resolutions 1556 (2004) and 1564 (2004);

(g) To assist the parties, in cooperation with other international actors, in the preparations for and conduct of referendums provided for in the Darfur Peace Agreement;

(h) To assist the parties to the Agreements in promoting understanding of the peace accord and of the role of UNMIS, including by means of an effective public information campaign, targeted at all sectors of society, in coordination with the African Union;

(i) To cooperate closely with the Chairperson of the Darfur-Darfur Dialogue and Consultation (DDDC), provide support and technical assistance to him, and coordinate other United Nations agencies' activities to this effect, as well as to assist the parties to the DDDC in addressing the need for an all-inclusive approach, including the role of women, towards reconciliation and peacebuilding;

(j) To assist the parties to the Darfur Peace Agreement, in coordination with bilateral and multilateral assistance programmes, in restructuring the police service in the Sudan, consistent with democratic policing, to develop a police training and evaluation programme, and to otherwise assist in the training of civilian police;

(k) To assist the parties to the Darfur Peace Agreement in promoting the rule of law, including an independent judiciary, and the protection of human rights of all people of the Sudan through a comprehensive and coordinated strategy with the aim of combating impunity and contributing to long-term peace and stability and to assist the parties to the Darfur Peace Agreement to develop and consolidate the national legal framework;

(l) To ensure an adequate human rights and gender presence, capacity and expertise within UNMIS to carry out human rights promotion, civilian protection and monitoring activities that include particular attention to the needs of women and children;

9. *Decides* further that the mandate of UNMIS in Darfur shall also include the following:

(a) To facilitate and coordinate in close cooperation with relevant United Nations agencies, within its capabilities and in its areas of deployment, the voluntary return of refugees and internally displaced persons, and humanitarian assistance inter alia by helping to establish the necessary security conditions in Darfur;

(b) To contribute towards international efforts to protect, promote and monitor human rights in Darfur, as well as to coordinate international efforts towards the protection of civilians with particular attention to vulnerable groups including internally displaced persons, returning refugees, and women and children;

(c) To assist the parties to the Agreements, in cooperation with other international partners in the mine action sector, by providing humanitarian demining assistance, technical advice, and coordination, as well as mine awareness programmes targeted at all sectors of society;

(d) To assist in addressing regional security issues in close liaison with international efforts to improve the security situation in the neighbouring regions along the borders between the Sudan and Chad and between the Sudan and the Central African Republic, including through the establishment of a multidimensional presence consisting of political, humanitarian, military and civilian police liaison officers in key locations in Chad, including in internally displaced persons and refugee camps, and if necessary, in the Central African Republic, and to contribute to the implementation of the Agreement between the Sudan and Chad signed on 26 July 2006;

10. *Calls upon* all Member States to ensure the free, unhindered and expeditious movement to the Sudan of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles and spare parts, which are for the exclusive and official use of UNMIS in Darfur;

11. *Requests* the Secretary-General to keep the Council regularly informed of the progress in implementing the Darfur Peace Agreement, respect for the ceasefire, and the implementation of the mandate of UNMIS in Darfur, and to report to the Council, as appropriate, on the steps taken to implement this resolution and any failure to comply with its demands;

12. Acting under Chapter VII of the Charter of the United Nations

(a) *Decides* that UNMIS is authorized to use all necessary means, in the areas of deployment of its forces and as it deems within its capabilities:

- to protect United Nations personnel, facilities, installations and equipment, to ensure the security and freedom of movement of United Nations personnel, humanitarian workers, assessment and evaluation commission personnel, to prevent disruption of the implementation of the Darfur Peace Agreement by armed groups, without prejudice to the responsibility of the Government of the Sudan, to protect civilians under threat of physical violence,

- in order to support early and effective implementation of the Darfur Peace Agreement, to prevent attacks and threats against civilians,

- to seize or collect, as appropriate, arms or related material whose presence in Darfur is in violation of the Agreements and the measures imposed by paragraphs 7 and 8 of resolution 1556, and to dispose of such arms and related material as appropriate;

(b) *Requests* that the Secretary-General and the Governments of Chad and the Central African Republic conclude status-of-forces agreements as soon as possible, taking into consideration General Assembly resolution 58/82 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, and *decides* that pending the conclusion of such an agreement with either country, the model status-of-forces agreement dated 9 October 1990 (A/45/594) shall apply provisionally with respect to UNMIS forces operating in that country;

13. *Requests* the Secretary-General to report to the Council on the protection of civilians in refugee and internally displaced persons camps in Chad and on how to improve the security situation on the Chadian side of the border with Sudan;

14. *Calls upon* the parties to the Darfur Peace Agreement to respect their commitments and implement the Agreement without delay, *urges* those parties that have not signed the Agreement to do so without delay and not to act in any way that would impede implementation of the Agreement, and *reiterates* its intention to take, including in response to a request by the African Union, strong and effective measures, such as an asset freeze or travel ban, against any individual or group that violates or attempts to block the implementation of the Agreement or commits human rights violations;

15. *Decides* to remain seized of the matter.

06-48470